

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was **not** written for publication in a law journal and (2) is **not** binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GREGORY JOHN BILLINGTON,
ANDREW SIMON POPE
and CHRISTIAN JON FLEUTY

Application No. 09/543,164

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

MAILED

FEB 16 2005

PAT & TM OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

This application was received electronically at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On January 6, 2005, The Board of Patent Appeals and Interferences (Board) submitted a BPAI Request Form, requesting an Artifact 09543164ZA, as of today the Board have not received artifact 09543164ZA.

Accordingly, it is

ORDERED that the application is returned to the Examiner to supply an artifact 09/543164ZA physically to the Board, and for any further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

CF/dal
RA05-0162

FISH & RICHARDSON P.C.
CITIGROUP CENTER 52ND FLOOR
153 EAST 53RD STREET
NEW YORK NY 10022-4611